

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-v-

No. 18-CR-00656-LTS

CARLOS ALVAREZ,

Defendant.

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ORDER

The Court has received Defendant’s “Motion to Proceed Pro-Se as Co-Counsel,” dated December 17, 2019. (Docket Entry No. 66.) A defendant “has no right to ‘hybrid’ representation, in which he is represented by counsel from time to time, but may slip into pro se mode for selected presentations,” United States v. Rivernider, 828 F.3d 91, 108 (2d Cir. 2016), and, if proceeding pro se, he must “comply with relevant rules of procedural and substantive law,” Faretta v. California, 422 U.S. 806, 834 n.46 (1975). Mr. Alvarez’s motion is denied to the extent he seeks to proceed as co-counsel with his attorney of record.

In light of the facts that Mr. Alvarez’s motion also refers to proceeding pro se with standby counsel and that he has filed a separate document in which he asserts that his current counsel of record, Patrick Brackley, has provided ineffective assistance of counsel, the Court will hold a conference on **January 14, 2020, at 11:00 a.m.** At that conference, the Court

will hear any request for appointment of substitute counsel or to proceed pro se. The CJA attorney on duty will be requested to attend the conference.

SO ORDERED.

Dated: New York, New York
January 7, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

Copy mailed to:

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